



US Army Corps  
of Engineers

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

Regulatory Branch  
333 Market Street  
San Francisco, CA 94105-2197

NUMBER: 25961N

DATE: April 10, 2002

RESPONSE REQUIRED BY: May 10, 2002

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**1. INTRODUCTION:** The County of Humboldt (County), Department of Public Works, 1106 Second Street, Eureka, California 95501-0579, (Contact Mr. Richard Stein at (707) 445-7741) has applied for a Department of the Army permit to discharge fill into waters of the United States (Bear Creek) by placing approximately 3,000 cubic yards (CY) of concrete rubble, 400 CY of river run gravel fill for installation of a gravel equipment access ramp, and backfill for access road culverts, in connection with the demolition of the existing Bear Gulch Bridge and construction of a new bridge. The project site is located on Bear Creek and the adjacent South Fork of the Eel River, approximately one quarter mile (1/4 mile) north of Garberville, on Redwood Drive, in Humboldt County, California. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

**2. PROJECT DESCRIPTION:** As shown in the attached drawings, the applicant plans to demolish the existing bridge which currently supports Redwood Drive between Garberville and the community of Redway. A new bridge in its stead would be constructed on an alignment 50 feet west of the existing bridge. The project also includes (1) the addition of a left turn lane on Redwood Drive north of the intersection with Alderpoint Road (See vicinity map Sheet 3 of 8), (2) construction of a 300 foot long retaining wall to support the west roadway shoulder north of the new bridge, and (3) realignment and widening of the bridge approaches on Redwood Drive. The applicant (County of Humboldt, Department of Public Works) states that when the

integrity of the concrete arch that supports the existing bridge is disturbed, that arch and the superstructure it supports will collapse (in its entirety) with the result that as much as 3,000 CY of mostly concrete rubble would fall to the bed of Bear Creek directly below the bridge. After collapse and demolition of the bridge, the rubble in Bear Creek would be removed from the creek by heavy equipment (rubber tired loader would transport the debris to dump trucks). In order to provide access for equipment such as rubber tired loaders and trucks to remove the rubble, approximately 400 CY total of river run gravel would be placed to construct an access ramp between the area just above the bank of the South Fork of the Eel River and Bear Creek, and another culverted gravel ramp between the left bank of Bear Creek and the right bank of Bear Creek (See Sheet 5 of 8). All river run gravel used for fill would be imported from commercial or County gravel stockpiles. No gravel extraction would occur to obtain borrow materials on the South Fork of the Eel River adjacent to the project site (Wallan and Johnson gravel bar), as was previously planned.

**3. STATE APPROVALS:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification before a Corps permit may be issued. By letter dated May 31, 2001, the California Regional Water Quality Control Board, North Coast Region (RWQCB) granted the County of Humboldt a Section 401 Water Quality Certification with conditions for the above project activity. Those parties concerned with any water

quality issues that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403 (707-576-2220), by the comment period of this public notice.

#### **4. COMPLIANCE WITH OTHER FEDERAL LAWS:**

Endangered Species Act - The adjacent South Fork of the Eel River is a migratory and rearing corridor for the Federally listed coho salmon, Oncorhynchus kisutch, chinook salmon, O. tshawytscha, and steelhead trout, O. mykiss. All three species are listed as threatened by the National Marine Fisheries Service (NMFS) pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 CFR 1531 et seq). In addition, the South Fork of the Eel River is designated by the NMFS to be critical habitat for the coho and chinook salmon, and the river is Essential Fish Habitat, pursuant to Magnuson-Stevens Fishery Conservation and Management Act for coho and chinook salmon. The South Fork of the Eel River has a fall run of chinook salmon. Chinook salmon have been known to spawn in the main channels of the South Fork and mainstem Eel River in December and January as well as the tributaries to Eel River. However, chinook are not known to spawn in the project area at Bear Creek (Biological Assessment, Humboldt County, July 1999).

Coho salmon tend to spawn in tributaries to the South Fork of the Eel as would steelhead trout. There is a summer and winter run of steelhead in the South Fork of the Eel River. Winter run fish migrate upstream from about November through January. Summer run fish enter freshwater during the spring and require deep, cold holding water through the summer. Summer runs spawn in late fall or early winter. Steelhead, and possibly coho salmon, spawn in Bear Creek east of Highway 101 (east of Redwood Drive and the project site). The flow in Bear Creek during summer and fall is minimal and water

temperatures west of Highway 101 are not optimal for rearing of fry (Biological Assessment, Humboldt County, July 1997).

On August 8, 1997, the Federal Highway Administration (FHWA), which is providing funding for the above project and is coordinating National Environmental Policy Act (NEPA) review, initiated informal consultation with the NMFS for the above bridge replacement project pursuant to Section 7 of the ESA. On November 6, 1997, the NMFS concurred that coho salmon and steelhead would not be adversely affected by the proposed project.

The FHWA re-initiated informal consultation with the NMFS on January 9, 2001 due to the more recent listing of chinook salmon as threatened, and the designation of critical habitat for coho salmon and chinook salmon. On February 21, 2001, the NMFS concurred with FHWA's determination that the above project may affect, but is not likely to adversely affect chinook salmon nor would the project destroy or adversely modify critical habitat for coho salmon and chinook salmon. However, during the Corps' review of the permit application for the above project, it was unclear if NMFS was aware that bridge replacement included wholesale as opposed to piece meal removal of Bear Gulch Bridge. The Corps learned that the old bridge would be demolished by allowing it to collapse all at one time into Bear Creek. The County explained that removal of the old arch bridge must be done so that the bridge collapses all at once, it would be unsafe to attempt to remove the bridge one piece at a time at the advice of engineering staff of the County.

The Corps is re-initiating informal consultation with NMFS under the ESA due to the above concerns and is initiating Essential Fish Habitat consultation as well.

**National Historic Preservation Act:** An archaeological survey was conducted in 1996 by

James Roscoe. His survey did not discover any evidence of archaeological resources within the area of effect of the bridge, nor any remains of any historical resources. James Roscoe has recommended that if archaeological materials are unearthed during project construction, work would be halted until a qualified archaeologist has evaluated the site. If human remains are unearthed, work would be halted, the County Coroner would be notified, and the procedure prescribed by law for the care and reburial of the remains would be followed. The existing Bear Gulch Bridge was determined by a Caltrans study to not meet the National Register of Historic Places criteria (County of Humboldt, Project Description, Permit Application to Corps, March 6, 2001).

**5. EVALUATION OF ALTERNATIVES:** The County of Humboldt has prepared an alternatives analysis for the above proposed project. The alternatives is in three parts: Alternative 1 - (1) No Build Alternative - this alternative would require the public to continue using the existing 23 foot wide bridge with its curving approaches and inadequate sight distances. The width of this bridge does not meet minimum Federal standards for a two lane bridge used by vehicles, pedestrians, and bicyclists. There have been accidents on the bridge and at the intersection just north of it (intersection from the off-ramp of Highway 101 with Redwood Drive). A contributing factor in these accidents is the narrowness of the bridge and inadequate sight distance. The County states they have received many complaints from local citizens regarding these conditions. (2) Alternative A – this alternative involves construction of a new bridge, which would meet present day standards. The proposed new 40 foot wide bridge would have two 12 foot traffic lanes for vehicular traffic and two 8 foot shoulders for pedestrians and bicyclists. The County states the proposed alignment of the new bridge would increase the sight distance in both directions from 300-350 feet to 600 feet and provide drivers twice as much

decision time. This alternative would reduce accidents and is the preferred alternative.

Alternative analysis 2: No Demolish Alternative – the County states this alternative would leave the aging, obsolete arch bridge in place and require continuing expenditures for maintenance even if it was closed to the public. It would represent an attractive nuisance and a potential liability to the County and public. Alternative A: this alternative involves demolition of the existing bridge following completion of construction of the new bridge. By doing so, the County and public would be relieved of the otherwise perpetual maintenance cost and the potential liability if the bridge were left in place. This is the preferred alternative.

Alternative analysis 3: The County states that a break in the integrity of the supporting concrete arches of the bridge would result in collapse of the arches and the superstructure they support. The following alternatives to deal with this reality were considered:

Alternative A - would cover the creek with steel plates and remove the debris from above via a crane. The County states this alternative would not reduce any vegetative damage that would result from dropping the bridge onto Bear Creek and is deemed too dangerous since the crane would have to be located on the portion of the bridge still standing close to the abyss in order to reduce the boom length and improve leverage. Moving the crane farther back would result in increased boom length, decreased leverage, and the probability of increased damage to the vegetation and the walls of the canyon. Alternative A was rejected by the County for the above reasons.

Alternative B - would pipe (divert) the low flow of Bear Creek and build a gravel landing to catch the material that drops when the arches are broken. This alternative was not chosen as the preferred one because it would still require the fills for the

equipment access; would not prevent damaging the bed of the creek since the landing would have to be removed, resulting in further disturbance to the creek bed. The flow through this area is often subsurface during the summer and early fall when the demolition work would be scheduled. The County rejected this alternative of installing 150 feet of culvert and an additional 400 cubic yards of fill on the bed of the creek.

Alternative C - Preferred alternative as described above on the first page of this Public Notice: requires placement of 400 cubic yards of gravel for equipment access along Bear Creek with two 24-inch culverts installed to maintain creek low flow passage, if any. After the bridge is collapsed, a rubber tired loader would remove the debris, carry it out in the direction of the gravel adjacent to the South Fork Eel River, load the debris onto dump trucks where it would be hauled out of the area to an approved, upland disposal site for such material. After completion of such work, the County would return the creek bed to pre-demolition condition to the extent possible.

Evaluation of this activity's impacts includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. 1344(b)).

**6. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under

which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

**7. CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**8. SUBMISSION OF COMMENTS:** Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on page

one of this notice. Comments should be sent to the Regulatory Branch. A copy of written comments should also be sent to: U.S. Army Corps of Engineers, Eureka Office, P.O. Box 4863, Eureka, California 95502. It is Corps policy to forward any such comments which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice, or by contacting David Ammerman of our Eureka Office at telephone number 707-443-0855. You may send E-mail: dammerman@spd.usace.army.mil. Details on any changes of a minor nature which are made in the final permit action will be provided on request.